BOARD OF COMMISSIONERS REGULAR WORKSHOP
WEDNESDAY, AUGUST 23, 2023 – 7:00 PM
120 108TH AVENUE
TREASURE ISLAND, FL 33706

MEETING NOTICE AND AGENDA

- THIS MEETING WILL IMMEDIATELY FOLLOW THE 6 PM CITY COMMISSION MEETING -

A. CITY MANAGER AND CITY ATTORNEY REPORT

City Manager Amy Davis
City Attorney Jennifer Cowan

B. DISCUSSION

B.1 Ordinance No. 2023-14 Amending the City Code regulating prohibition of alcohol at public facilities and parks
Ordinance_2022-14_amending_section_18-80_of_the_City_Code__02423649-3___1_.docx

C. PUBLIC COMMENT

D. ADJOURNMENT

For any person desiring to appeal any decision made by the board, agency, or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based [F.S. 286.0105]. NOTE: Any transcript shall be requested and made by the individual requesting same at his or her own expense. Therefore, a court reporter may be desired or required accordingly.

Any person with a disability who needs any accommodation in order to participate in this proceeding is entitled to assistance at no cost. Please contact the Office of the City Clerk in writing at 120 108th Avenue, Treasure Island, FL, 33706 or by phone at (727) 547-4575 at least two working days prior to the meeting to advise what assistance is needed.

AGENDA ITEM NO. B.1

Item Cover Page

BOARD OF COMMISSIONERS AGENDA ITEM REPORT

DATE:	August 23, 2023
SUBMITTED BY:	John Barkley, Police
ITEM TYPE:	Ordinances
AGENDA SECTION:	DISCUSSION
SUBJECT:	Ordinance No. 2023-14 Amending the City Code regulating prohibition of alcohol at public facilities and parks
BACKGROUND:	The City's code does not prohibit alcohol except in public facilities and parks. With the relocation of City Hall and future reconstruction of public facilities prompted a review of the existing ordinance that prohibits alcohol in public facilities and parks. Proposing that distances regulating the areas for prohibition for alcohol on public property be consistent will streamline the ordinance for enforcement purposes.
POLICY/PURPOSE:	To amending the City Code regulating prohibition of alcohol at public facilities and parks to reflect new City facility locations and to make the references to distances consistent to streamline communications and enforcement.
STRATEGIC PLAN RELEVANCE:	Goal 2: Maintain a safe community
ANALYSIS/DISCUSSION:	The proposed changes to the City Code, Chapter 18, Article V, Section 18-80 are to update references to publicly owned facilities and parks, clarifying explanations and make distance references consistent. For approved events and activities, the ordinance allows for an exception to the prohibition.
FUNDING:	N/A
MOTION:	Does the Commission wish to move the ordinance forward to 1st reading?

ATTACHMENTS:
Ordinance_2022-14_amending_section_18-80_of_the_City_Code__02423649-3___1_.docx

ORDINANCE 2023-14

AN ORDINANCE OF THE CITY OF TREASURE ISLAND, FLORIDA, AMENDING CHAPTER 18 "ENVIRONMENT", ARTICLE V "ALCOHOL PROHIBITED AT CERTAIN PUBLIC FACILITIES", SECTION 18-80 "ALCOHOL PROHIBITED IN PUBLIC FACILITIES AND PARKS", OF THE CITY OF TREASURE ISLAND CODE OF ORDINANCES TO UPDATE THE LOCATIONS WHERE ALCOHOL IS PROHIBITED IN CERTAIN PUBLIC FACILITIES AND PARKS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Legislature of the State of Florida has, in Chapter 166 – Municipalities, Florida Statutes, conferred upon local governments the authority to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry; and

WHEREAS, the City of Treasure Island established Chapter 18 of the Code of Ordinances, providing for regulations protecting the public environment of the City, including regulations limiting alcohol consumption at certain public facilities; and

WHEREAS, in 2020, the City purchased the City Center with the goal of it becoming the City's future city hall; and

WHEREAS, the City is currently considering the future buildings of new public safety building, and city works facility and yard; and

WHEREAS, the City desires to update its Code to have similar restrictions for the City Center, public safety building, city works facility and yard that it has on the current city hall and the City wishes to clarify the current restrictions will remain in place for the remaining public facilities located on the current city hall property; and

WHEREAS, the City desires to be consistent in its distances regulating the areas for prohibition for alcohol on public property; and

WHEREAS, the City Commission reviewed the relevant current Code provision of the City of Treasure Island and finds that certain modifications are necessary and desirable to update various provisions restricting the locations where alcohol is prohibited in the public facilities and parks of the City; and

WHEREAS, the City Commission determines that the adoption of this Ordinance will help protect the public health, safety, and general welfare of the City and its residents and is consistent with the City's police powers.

NOW, THEREFORE, THE CITY OF TREASURE ISLAND DOES ORDAIN:

SECTION 1. The recitals set forth in the "Whereas" clauses above are ratified and confirmed as true and correct and are hereby adopted as legislative findings by the City Commission of the City of Treasure Island, Florida for the adoption of this Ordinance.

SECTION 2. That Section 18-80 of the Code of Ordinances of the City of Treasure Island, Florida, is hereby amended to read as follows:

Sec. 18-80. - Alcohol prohibited in public facilities and parks.

It shall be unlawful for any person to be in possession of an opened container of an alcoholic beverage or to consume alcohol on the following city-owned properties:

(a) Within 50 feet of the of the exterior wall, deck or stairways of the Treasure Island Beach Pavilion and the Treasure Island Sunset Vista Park Pavilion;

(b) Within ~~25~~ 50 feet of the exterior wall of the Treasure Island Community Center;

(c) Within 50 feet of the structures at the Treasure Island Park Pavilion and Historic Bridge Display~~,~~; ~~and city hall and auditorium~~

(d) Within 50 feet of any exterior wall or stairwells of the City Hall building, city works facility or yard, and city police and/or fire building;

(e) Under ~~or within 25 feet of~~ any bridge structure within the city; and

(f) Within 50 feet of the restroom facility, ~~beach sidewalk~~ and adjacent boardwalks, and parking lot of the city-owned beach access property located at 10400 Gulf Boulevard.

unless such use/or activity is with the advanced permission of the city manager and through a permit. The distances specified above shall not apply to private property.

SECTION 3. It is the intention of the City Commission that each provision of this Ordinance shall be deemed separate and severable and if any section, subsection, sentence, or provision of this ordinance is held invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected.

SECTION 4. All ordinances or portions of ordinances in conflict with or inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency or conflict.

SECTION 5. Section 2 of this Ordinance shall be codified in the Code of Ordinances for the City of Treasure Island, Florida. The codifier is authorized to renumber or reclassify such other provision of the Code of Ordinances to accomplish such intention. The codifier is also authorized to make editorial changes not affecting the substance of this Ordinance in the substitution of article, ordinance, section, paragraph, or such other appropriate word or phrase to accomplish such intention.

SECTION 6. This Ordinance shall become effective immediately upon its final passage.

FIRST READING and PUBLIC HEARING: _____, 2023.

SECOND READING and PUBLIC HEARING: _____, 2023.

PUBLISHED in the Tampa Bay Times on the ____ day of _____, 2023.

The foregoing ordinance was offered during the meeting of the City Commission of the City of Treasure Island, Florida, sitting on the ____ day of _____ 2023 by Commissioner _____ who moved its adoption; was seconded by Commissioner _____ and upon roll call, the vote was:

YEAS:

NAYS:

ABSENT OR ABSTAINING:

_____
J. Tyler Payne, Mayor

ATTEST:

_____
Celine Kidwell, City Clerk